

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION

21-md-3010 (PKC)

ORDER

THIS ORDER APPLIES TO:

Cliffy Care Landscaping LLC
v. Google LLC, 21 Civ. 7001 (PKC)

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CASTEL, United States District Judge:

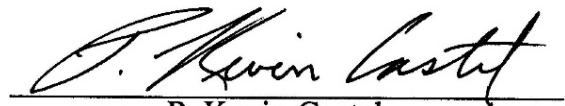
This Order is in response to the submission made by Cliffy Care Landscaping LLC (“Cliffy Care”) in response to this Court’s Order of July 10, 2024 (ECF 860) concerning a Rule 30(b)(6) examination of Cliffy Care. As is its right, Cliffy Care pursues a claim over a \$609 purchase from defendant in 2019 and, apparently, seeks to serve as a class representative.

The Court expresses sympathy to Mr. Clifford, his mother and his family. Mr. Clifford, despite his health issues (he is 34 years old and suffered a stroke in March 2023 that has impaired his ability to communicate orally), seems to be back to work at Cliffy Care and complains of the press of the summer season on his busy landscaping business.

In his declaration, Mr. Clifford proposes to produce his mother as a Rule 30(b)(6) designee. The would-be designee appears to be employed full-time by a law firm but renders some assistance to Cliffy Care. The Court has no way of assessing whether the designee is either a proper designee of the entity or is knowledgeable on the designated subjects. The Court does not pre-approve Rule 30(b)(6) designees. Plaintiff Cliffy Care should consult its attorney.

The Court ORDERS Clifffy Care to produce a designee pursuant to Rule 30(b)(6), Fed. R. Civ. P., for a deposition to be conducted on a date before to be set by defendant in consultation with plaintiff's counsel on or before September 13, 2024. Failure to fully comply with this Order may result in the full range of sanctions available under Rule 37, Fed. R. Civ. P., including dismissal.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
August 19, 2024